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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/305,815	05/04/1999	THOMAS C. CLARK	04860.P2297	2670

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EXAMINER
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LEFKOWITZ, SUMATI

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 12/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/305,815

Applicant(s)

CLARK, THOMAS C.

Examiner

Sumati Lefkowitz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-26 are pending.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 5-8, 12, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Zou, 6,160,796.

As to claims 1, 5-8, 12, and 16, Zou discloses a method of notifying clients of a specific change in a system comprising a client requesting notification of the specific change in the system, detecting the specific change in the system, and notifying the client requesting notification that the specific change in the system occurred, maintaining a list of requests for

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notification, the client terminating the request for notification, and removing a request corresponding to the client from the list of requests for notification, the specific change in the system is connection of a device, the specific change in the system is disconnection of a device (note abstract, Figure 14, column 2, lines 2-44, column 3, lines 9-51, column 12, lines 1-18, column 13, lines 32-44, column 16, lines 22-46, column 24, lines 15-47, column 25, lines 11-45, wherein the fact that the callback information, which is generated from a comparison of the old GUID list with the new GUID list after a bus reset due to a connection or disconnection, includes new and removed devices reads on notifying the client of a specific change – if the change is the connection of a device, then the callback information would include the newly added device and if the change is the disconnection of a device, then the callback information would include the newly removed device).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4, 9-11, 13-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796 in view of Stutz et al., 5,485,617 (hereinafter Stutz).

As to claims 2-4, 9-11, 13-15, and 17-20, Zou discloses the processor receiving a callback routine from the client when the client requests notification and the processor notifies the client by executing the callback routines (note abstract, Figure 14, column 2, lines 2-44,

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column 3, lines 9-51, column 12, lines 1-18, column 13, lines 32-44, column 16, lines 22-46, column 24, lines 15-47, column 25, lines 11-45), but fails to disclose maintaining a list of requests for notification, the client terminating a request for notification, or removing a request corresponding to the client from the list of requests for notification.

Stutz discloses maintaining a list of requests for notification, the client terminating a request for notification, and removing a request corresponding to the client from the list of requests for notification (note abstract, Figures 7 and 10, column 15, line 33 – column 16, line 57, and column 18, line 53 – column 19, line 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to maintain a list of requests for notification, terminate a request for notification, and removing a request corresponding to the client from the list of requests for notification in the system of Zou, as Stutz teaches, so as to allow for dynamic notification of clients as needed.

6. Claims 21 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796.

As to claims 21 and 24-26, the claimed elements have already been discussed with respect to claims 1, 5-8, 12, and 16 above, with the exception of detecting a specific change in a USB system and finding and deactivating a driver corresponding to a connected and disconnected, respectively, device.

Examiner takes Official Notice that USB is well known in the art of serial peripheral bus systems.

It would have been obvious to one of ordinary skill in the art at the time of the invention

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to employ a USB in the system of Seymour so as to be compatible with the most recent technological advancement in serial buses and so as to take advantage of the many benefits provided by USB, including high speed, low cost and hot-pluggability.

7. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zou, 6,160,796 in view of Falkenburg et al., 6,311,242 (hereinafter Falkenburg).

As to claims 22 and 23, Zou fails to disclose finding and deactivating a driver corresponding to a connected and disconnected, respectively, device.

Falkenburg discloses finding and deactivating a driver corresponding to a connected and disconnected, respectively, device (note column 8, line 19 - column 9, line 30).

It would have been obvious to one of ordinary skill in the art at the time of the invention to find and deactivate a driver corresponding to a connected and disconnected, respectively, device in the system of Zou, as Falkenburg teaches, so as to automatically allow for communication with a newly added device and free up resources for use without having to reboot the system, as Falkenburg teaches in column 8, line 19 – column 9, line 30, thereby minimizing the involvement of the user in configuring the system to recognize the newly added or removed device.

#### ***Response to Arguments***

8. Applicant's arguments filed 11/25/02 have been fully considered but they are not persuasive for the following reason:

If USB is well known in the art, a reference should be supplied.

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As Applicant has not seasonably traversed, (i.e., in the next response following the action in which Official Notice was taken) the taking of Official Notice with respect to USB being well known in the art, Applicant's right to challenge the Official Notice is waived. Note: in this case, the first action in which Official Notice was taken was submitted on 10/2/01, and no challenge was made in response.

9. Applicant's arguments with respect to the remaining claims have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure, as the art discloses notification of changes in systems.

US Patents:	6,487,623	Emerson et al.	6,477,573	Lea
	6,401,157	Nguyen et al.	6,360,331	Vert et al.
	6,297,794	Tsubouchi et al.	6,216,188	Endo et al.
	6,131,134	Huang et al.	5,949,979	Snow et al.
	5,828,899	Richard et al.		

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sumati Lefkowitz whose telephone number is 703-308-7790. The examiner can normally be reached on Monday-Friday from 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached at 703-305-4815.

The fax phone numbers for the organization where this application or proceeding is assigned are:

703-746-7238	for After-Final communications
703-746-7239	for Official communications
703-746-7240	for Non-Official/Draft communications



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A handwritten signature in cursive script, appearing to read "Sumati Lefkowitz".

Sumati Lefkowitz  
Primary Examiner  
Art Unit 2189

sl  
December 4, 2002